Scotti II-27—50,000—4-11-46.

Dev. (194?) Department.

MS. SERIES.

G.O. NO. 820

Dated 27-2-47

[Despatch Abstract.]

Acts and Rules - Madras Pawnbrokers Act, 1943 -

[redacted] to the South Kanara district.

Ref.C.No.C3-3534-46. South Kanara Dt.Magistrate's office,
Mangalore, dated 19-8-1946.

63126 8/46
31.8.46

From

S. Bhoothalingam, Esq., OBE., ICS.,
District Magistrate of South Kanara.

To

The Secretary to Government,
Home Department, Madras.

Sir,

Subject - THE MADRAS PAWN BROKERS ACT - Act XXIII of 1943 - Extension of - South Kanara district - Report - Submitted.

I enclose a copy of the report C.No.427/D.I.B./46 dated 2-8-1946 of the District Superintendent of Police, South Kanara. I agree with him that both in the interest of the public and of the work of the police, it would be useful to extend the provisions of the Madras Pawn Brokers Act (Act XXIII of 1943) to the South Kanara District. I recommend that the Government may be pleased to extend all the provisions of the said Act to this district with effect from 1-10-1946.

For Dt. Magistrate.

HOME DEPARTMENT

Home (G) Sept.

The Secret. dept. U.O.

Hemcon-37520 J/46-1

2 — 4.9.46

Endt no. 63126 9/46-I dt 4-9-46

Referred to the Bd. of Rev. for early remarks.

D.S.P. Police

BR
3/9/46.

To the Bd of Rev (with all copies of D.S.P. Police Diaries and Maps)

R 25.9.46

Copy of letter C.No.427/D.I.B./45 dated 2nd August 1945 from the District Superintendent of Police, South Kanara, Mangalore, to the District Magistrate of South Kanara.

Sub: Extension of the Provisions of the Madras Pawn Brokers' Act - 1943.

The above Act affords protection to such needy and poor members of the public as often pledge various articles with Pawn Brokers and who are liable to be imposed upon or otherwise put to loss by unscrupulous Pawn Brokers. Further, it affords help to the Police in the investigation of crimes against property, as will be clear from a perusal of the Act.

2. Hence, both in the interest of the Public and of the work of the Investigating machinery in criminal cases, it will be very useful if you will be so good as to agree to get the provisions of the said Act extended to this District.

apply the Act

3. Sub-section 2 of Section I extends it to the whole of the Province of Madras. Sub-section 3 of section I of the Act says that the Provincial Government may, from time to time, by notification in the Fort St. George Gazette, apply the remaining provisions of the Act to the whole or any portion of the ~~(remaining-)~~ Province of Madras from such date as may be specified in the notification, and may cancel or modify such notification -

4. I, therefore, request that this beneficial piece of legislation may please be made applicable to South Kanara.

Endt. No. 6312/B/46-1d Dev. Dept /True copy/ Ghulam Rasool

Referred to the Bd of Rev Comm. of Police for remarks

To the Bd of Rev Addl. BR Comm. of Police 3.9.46. 819/46.

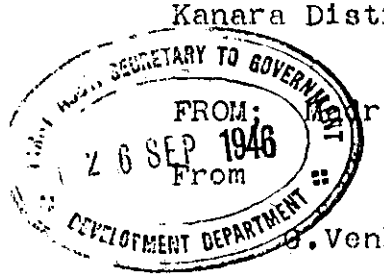
20.8.46

For Dt. Magistrate.

REVENUE DEPARTMENT.

Subject.

Acts and Rules--The Madras Pawn brokers Act, 1943--South Kanara District--Introduction--Proposals.



L.Dis.No.A.4680

Dated 21-9-1946.

FROM: Madras.

From

S.Venkateswara Ayyar, O.B.E., I.C.S.,
Secretary, Board of Revenue, Madras.

E.M.Gawne Esqr, C.S.I., C.I.E., I.C.S.,
Commissioner of Land Revenue, Post War Reconstruction and Commercial Taxes.

READ: From the Government, Development Department Endorsement No.63126 G/46 Dated 4-9-1946.

L.DIS.

The Board supports the Collector's recommendation that the provisions of the Madras Pawnbrokers' Act, 1943 may be extended to the South Kanara District.

2. The Board observes that there are pawnbrokers in every big town in the mofussil and as the Act gives protection to the public against extortionate pawnbrokers, the Board considers that it should be extended wherever a District Magistrate and District Superintendent of Police ask for it. The matter will be indefinitely delayed if Government were to wait for knowing the experience gained in Madras city and Saidapet Taluk of Chingleput District. In these places there seems to be no difficulty about enforcing the provisions of the Act except that Pawnbrokers are applying slowly and the police are not prosecuting those who do not apply.

For Secretary.

To

The Secretary to Government
Development Department.

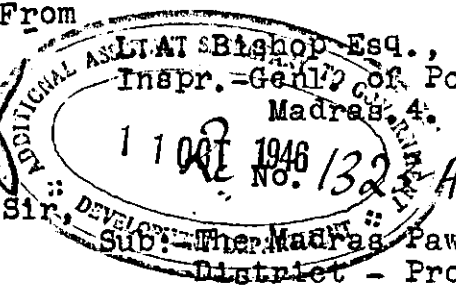
M.A. 21/9

From

L.I.A.T. Bishop Esq., O.B.E.,
Inspr.-Genl. of Police,
Madras 4.

To

The Secretary to the
Government of Madras,
Development Department.



11 OCT 1946

No. 1322-A/Stat/46 Dated 10th October 1946. 76354 G/46 16.10.46

Sir,

Sub:- The Madras Pawnbrokers Act, 1943 - Extension to South Kanara District - Proposals.

Ref:-Endorsement No.63126-G/46, Development, dated 4.9.1946.

I agree with the District Magistrate, South Kanara and recommend his proposal.

2. The question of extending the Madras Pawnbrokers Act, 1943, to the other districts of the Province, is under my examination and a further report will be sent in due course.

for M. Krishnan 10.10.46
for Inspr.-Genl. of Police.

MK/9.10.

CNO-63126 8/46 190 28/2 KW/6/3 (C)

Dev. Dept

Pl. issue Alle 26.2.47.

Sub:- Acts and Rules - Madras Pawnbrokers Act, 1943 - Extension to the South Kanara district - Orders passed.

Read again:- G.O.4410 Dev dated 14-10-44.

Ref:- From the District Magistrate of South Kanara, Ref. CNO.C.3.3534-46 dated 19-8-46.
From the Board of Revenue, L.Dis.No.A.4680 dated 21-9-46.
From the Inspector-General of Police, RC.No.1323-A Statt-46 dated 10-10-46.

.....

For the earlier please see pp 1-2 of (C)

ORDER MS. NO. 820 DATED 27.2.47

Copy of the Act put up

His Excellency the Governor accepts the proposal that sections 2 to 25 of the Madras Pawnbrokers Act, 1943 be extended to the South Kanara district.

The following notification will be published in the Fort. St. George Gazette:-

NOTIFICATION

In excercise of the powers conferred by section 1(3) of the Madras Pawnbrokers Act, 1943 (Madras Act XXIII of 1943) His Excellency the Governor directs that all the provisions of the said Act (except section 1 which has already come into force) shall apply to the South Kanara district from the date of publication of the notification in the Fort. St. George Gazette.

2. The Superintendent, Govt. Press is requested to print and supply Form 'B' appended to the Madras Pawnbrokers Rules to the licensing authorities according to their requirements.

Cf para 2 on p2 of (C)

To Supdt Govt Press. (for publication in the Gazette)
" The Bd of Rev.
" I.G. of Police
" Collector of South Kanara,
" Dt. Magistrate of South Kanara,
" Registrar, High Court, Madras.
" A.G.
Copy to Fin, Rev and Home Depts.

Copy for S.F.

Added Alle 8/3/47

Draft by S.S. Alle Bd 11.11.46 18-XI-46.

23.11.46

Published at p166 of Part I of the Fort. St. George Gazette dated 11.3.47

Note

cno.63 put up 8/46.

Development Dept.

SUB: ACTS AND RULES - Madras Pawnbrokers Act, 1943 - Extension to South Kanara District - Proposals.

Ref: From the District Magistrate of South Kanara, Ref.C.No. C.3.3534-46 dated 19.8.1946.
From the Board of Revenue I.Dis.No.A.4680- dated 21.9.1946
From the Inspector-General of Police, Rc.No.1323-A.Statt-46 dated 10.10.1946.

[Issued as Govt No 63 126 8/46-1 dated 4-9-46]

To A.S.

The Superintendent of Police, South Kanara has proposed that the provisions of the Madras Pawnbrokers' Act, 1943 may be extended to the South Kanara District as they will be very useful both in the interests of the public and of the work of the police against the unscrupulous pawnbrokers. The District Magistrate of South Kanara, the Board of Revenue and the Inspector General of Police recommend the proposal.

2. Under Section 1(3) of the Madras Pawnbrokers' Act, the Government have power to apply the provisions of the Act to any ~~every~~ portion of the Province from such date as may be specifie The I.G.of Police originally submitted proposals with the concurrence of District Magistrates concerned for extending the Act to the following areas:-

Madras City, Towns of Madura, Tinnevelly, and Vizagapatam and the entire districts of Nilgiris, Coimbatore, Malabar South Kanara, Salem and Trichinopoly.

In connection with the examination of the pawnbrokers Bill the then Revenue Secretary (Mr. A.R.C.Westlake) suggested that the Act should in the first instance be applied only to the Madras City and its environs viz., Saidapet Taluk of the Chingleput district, as the experience of working the Act would show if any adjustments were necessary before it was extended to other areas. All these suggestions were put to the Board and the Board had no particular objection but it considered that the Act should first be tried in the Madras City and the Saidapet taluk of the Chingleput. The Board's view was accepted and orders were issued extending the Act to these areas with effect from 1.11.1944. Proposals were subsequently submitted to Govt. by the concerned Districts Magistrates for extension of the

Act to certain places in Ramnad, Madura and South Arcot districts and to the entire Kistna District but these proposals were deferred for the time being.

The Board of Revenue now states that the matter will be indefinitely delayed if Govt. were to wait for knowing the experience gained in the Madras City and Saidapet Taluk of the Chingleput district, and considers that there will not be any difficulty in enforcing the provisions of the Act to the South Kanara district. In view of the strong recommendation made by the Board of Revenue and the Inspector General of Police it is for orders whether the proposal to extend the provisions of the Madras Pawnbrokers Act to the South Kanara District may be accepted. (The Inspector-General of Police has stated that the question of extending the Act to the other districts of the Province is under examination, and it may be examined when the proposals are received).

3. The remarks of Home and Revenue may be invited.

Dev. n.o. 63126 8/46-4
24.x.46

Please see the correspondence in the C.F and the Dev. Dept's note above. For the reasons given in para 2 above Dev. Dept. propose to accept the proposal of the Dt. South Kanara to extend the provisions of the Madras Pawnbrokers Act, 1943 to South Kanara district. This dept. may agree to the proposal and the file passed on to Revenue.

Dev.
28/10/46.

Home n.o. 50046 J/46-1
30.x.46.

Please see the notes from Dept. The proposal at A above may be accepted in this department & the file returned to Development department.

7.11.46.

Dev.Dept.

To A.S.

The file relates to the question of applying the provisions of sections 2 to 25 of the Madras Pawnbrokers Act, 1943 to the South Kanara District.

Under section 1(3) of the Act the Govt. may by notification apply the remaining provisions of the Act to the whole or any portion of the Province from such date as may be specified. In G.O. No. 4410 Dev. dated 14-10-44 orders were issued extending the provisions of the Act to the Madras City and the Saidapet taluk of the Chingleput district with effect from 1-11-44.

2. The Superintendent of Police, South Kanara has proposed that the provisions of the Madras Pawnbrokers Act, 194 may be extended to the South Kanara district as they will be very useful both in the interests of the public and of the police against unscrupulous pawnbrokers. The District Magistra of South Kanara, the Board of Revenue, and the Inspector-General of Police recommend the proposal. It is proposed to accept the recommendation. The Revenue and Home Departments also agree. For orders whether the provisions of the Act may be extended to the South Kanara district from the date of the publication of the notification in the Gazette. Subject to orders a draft order is submitted. (The I.G. of Police has since proposed that the provisions of the Act may be extended to the whole Province and the proposal is separately under consideration.) The actual operation of the provisions of the Act will commence only after expiry of three months from the date of publication of the Act.

3. The case may be circulated to H.M(Agri), H.M(Rev), H.P.M, and His Excellency for approval.

Alk BR 11.11.46 11.XI.46.

May be extended to S. Kanara. Draft order may issue

R. N. Sundaram 13.11.46

Hm (Agri) 14.11.46

Hm (Rev) yes. 23/11/46

HPM 25/11

HE

[Issued as G.O. Ms. No. 8210 Dev. dated 25.12.46]